

14 JUN 1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : PHILIPPE MALCORPS Docket No.: 99-260
ET AL.

Serial No. : 09/284,816

Int. Appln. No. : PCT/IB96/01171

Int. Filing Date: October 31, 1996

For: FERMENTED BEVERAGE WITH BEER WORT
BASE, METHOD FOR PREPARING SAME

900 Chapel Street
Suite 1201
New Haven, CT 06510-2802

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Box PCT
Assistant Commissioner for Patents
United States Patent & Trademark Office
Washington, D.C. 20231

Dear Sir:

In response to the Official Notification of Missing Requirements Under 37 U.S.C. 371 mailed May 19, 1999, a copy of which is enclosed, Applicants enclose herewith a Combined Declaration and Power of Attorney in compliance with 37 C.F.R. 1.497(a) and (b). Also enclosed is check in the amount of \$130.00 to cover the surcharge for filing this Declaration.

Please charge any additional fee which may be required

It is submitted that this application now complies with all formal requirements and therefore an action on the merits is respectfully requested.

Respectfully submitted,

PHILIPPE MALCORPS ET AL.

By

Barry L. Kelmachter
Attorney for Applicants

Area Code: 203
Telephone: 777-6628
Telefax : 865-0297

Date: June 11, 1999

June 11, 1999

Nicole Porto

Nicole Porto

June 11, 1999

09/284816



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO	FIRST NAMED APPLICANT	ATTY. DOCKET NO
09/284,816	MAILCORPS	P 99-260
BARRY L KELMACHTER BACHMAN & LAPOINTE 900 CHAPEL STREET SUITE 1201 NEW HAVEN CT 06510-2802		INTERNATIONAL APPLICATION NO
245611		PCT/IB96/01171
BACHMAN & LaPOINTE P.C.		I.A. FILING DATE PRIORITY DATE
		10/31/96 00/00/00

Response Due 6-19-99 DATE MAILED

05/19/99

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494), an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.

Copy of the international application in:

a non-English language.

English.

Translation of the international application into English.

Oath or Declaration of inventors(s) for DO/EO/US. *DEFECTIVE*

Copy of Article 19 amendments.

Translation of Article 19 amendments into English.

The International Preliminary Examination Report in English and its Annexes, if any. *NOT DEFECTIVE*

Translation of Annexes to the International Preliminary Examination Report into English.

Preliminary amendment(s) filed *21 APR 1996* and _____.

Information Disclosure Statement(s) filed _____ and _____.

Assignment document.

Power of Attorney and/or Change of Address.

Substitute specification filed _____.

Statement Claiming Small Entity Status.

Priority Document.

Copy of the International Search Report *NOT DEFECTIVE* and copies of the references cited therein.

Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted in accordance with 37 CFR 1.492(f).

*A copy of this notice **MUST** be returned with this response.*